

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire

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Attorneys for Secured Creditor

PNC Bank, National Association



Order Filed on July 25, 2018 by
Clerk U.S. Bankruptcy Court
District of New Jersey

In Re:

Delvalle, Emanuel dba Proficient Property
Mgmt. LLC,

Debtor

Case No.: 17-30701 JKS

Adv. No.:

Hearing Date: 6/5/18 @ 10:00 a.m.

Judge: John K. Sherwood

**CONSENT ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION
FOR RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby
ORDERED.

DATED: July 25, 2018

A handwritten signature in black ink, appearing to read "J K Sherwood".

Honorable John K. Sherwood
United States Bankruptcy Court

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Debtor: Delvalle, Emanuel dba Proficient Property Mgmt. LLC

Case No: 17-30701 JKS

Caption of Order: CONSENT ORDER CURING POST-PETITION ARREARS & RESOLVING
MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, PNC Bank, National Association, Denise Carlon, Esq. appearing, upon a motion to vacate the automatic stay as to real property located at 291 Powers Street, New Brunswick, NJ, 08901, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Daniel Kohn, Esq., attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of July 16, 2018, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due February 2018 through July 2018 for a total post-petition default of \$13,984.02 (6 @ \$2,263.71, less suspense \$129.24, attorneys' fees @ \$531.00); and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$13,984.02 will be paid by Debtor remitting \$2,330.67 per month in addition to the regular monthly mortgage payment, which additional payments shall begin on August 1, 2018 and continue for a period of six months until the post-petition arrears are cured; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments are to resume August 1, 2018, directly to Secured Creditor, PNC Bank, National Association, Attn: Bankruptcy, 3232 Newmark Drive, Miamisburg, OH 45342 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 11 bankruptcy proceeding, if the lump sum payment or any regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtor shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.

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Debtor: Delvalle, Emanuel dba Proficient Property Mgmt. LLC

Case No: 17-30701 JKS

Caption of Order: CONSENT ORDER CURING POST-PETITION ARREARS & RESOLVING
MOTION FOR RELIEF FROM STAY

/s/ *Denise Carlon*

DENISE CARLON, ESQ., ATTORNEY FOR SECURED
CREDITOR

Dated: 7/20/18

I hereby agree and consent to the above terms and conditions:

/s/ *Daniel Kohn*

DANIEL KOHN, ESQ., ATTORNEY FOR DEBTOR

Dated: 7/20/18

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Emanuel Delvalle
Debtor

Case No. 17-30701-JKS
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Jul 25, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 27, 2018.

db +Emanuel Delvalle, PO Box #154, Hackensack, NJ 07602-0154

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 27, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 25, 2018 at the address(es) listed below:

Daniel Kohn on behalf of Debtor Emanuel Delvalle dkohn@rcclawgroup.com
Denise E. Carlon on behalf of Creditor THE BANK OF NEW YORK MELLON ET. AL.
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Denise E. Carlon on behalf of Creditor DEUTSCHE BANK TRUST COMPANY AMERICA AS TRUSTEE
RESIDENTIAL FUNDING COMPANY, LLC FKA RESIDENTIAL FUNDING CORPORATION ATTORNEY IN FACT
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Fran B. Steele on behalf of U.S. Trustee U.S. Trustee Fran.B.Steele@usdoj.gov
Kevin M. Buttery on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE
bkyefile@rasflaw.com
Melissa S DiCerbo on behalf of Creditor ETRADE BANK nj-ecfmail@mwc-law.com,
nj-ecfmail@ecf.courtdrive.com
Rebecca Ann Solarz on behalf of Creditor THE BANK OF NEW YORK MELLON ET. AL.
rsolarz@kmlawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8